

FORM PTO-1390
OFFICE
(Modified)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK

ATTORNEY'S DOCKET NUMBER

37960-000111/US

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

NEW APPLICATION

EXPRESS MAIL LABEL NO.

10/562035

INTERNATIONAL APPLICATION NO.

PCTCH2004/00368

INTERNATIONAL FILING DATE

June 17, 2004

PRIORITY DATE CLAIMED

June 27, 2003, and January 15, 2004

TITLE OF INVENTION

METHOD AND DEVICE FOR THE PRODUCTION OF A CAN BODY, AND CAN BODY

APPLICANT(S) FOR DO/EO/US

Werner BOLTSCHAUER

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39 (1).
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau). **WO 2005/000498 A1**
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is transmitted herewith.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4)
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 20. below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98-1449, International Search Report (PCT/ISA/210 & PCT/ISA/220) and PTO Form 1449 w/ Listing Ten (10) & Submitting One (1) Reference, Co-Pending Letter w/ a Sealed Envelope (10/542,504) & Co-Pending Letter w/ a Sealed Envelope (10/502,939)
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:
 - 1) Formal Drawing (13 sheets)

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21. ☒ The following fees are submitted:

PCT FEES – NATIONAL STAGE:

Fee Code	Description	Fee
1631	Basic National Stage Fee.....	\$300.00
1632	National Stage Search Fee..... (Search report prepared and provided to USPTO)	\$400.00
1633	National Stage Examination Fee.....	\$200.00

ENTER APPROPRIATE FEE AMOUNT =

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☒ 30
Months from the earliest claimed priority date (37 CFR 1.492(e)).

PAGES	PAGES FILED	EXTRA PAGES FILED IN 50 PAGE SEGMENTS	RATE	
Total Pages	60 - 100 =	0	X 250.00	\$ 0.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	33 - 20 =	13	X \$50.00	\$ 650.00
Independent Claims	6 - 3 =	3	X \$200.00	\$ 600.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$ 0.00

TOTAL OF ABOVE CALCULATIONS =

☒ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

SUBTOTAL =

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30
Months from the earliest claimed priority date (37 CFR 1.492(f)).

TOTAL NATIONAL FEE =

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

TOTAL FEES ENCLOSED =

	Amount to be:	
	refunded	\$
	charged	\$

CALCULATIONS

PTO USE ONLY

a. ☒ A check in the amount of **\$1140.00** to cover the above fees is enclosed.

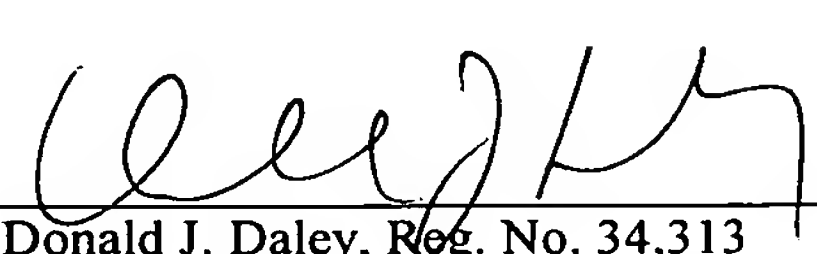
b. ☐ Please charge my Deposit Account. No. 08-0750 in the amount of \$ to cover the above fees.
A triplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 08-0750.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

Send all correspondence to:
Harness, Dickey & Pierce, P.L.C – Customer No. 30593
Post Office Box 8910
Reston, Virginia 20195

Date: December 22, 2005

By 
 Donald J. Daley, Reg. No. 34,313

DJD/smk